

Division 3. Air Resources Board

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Chapter 13. Voluntary Accelerated Vehicle Retirement Enterprises

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Article 1. Voluntary Accelerated Light-Duty Vehicle Retirement Enterprises

**§ 2605. Offering Vehicles to the Public.**

(a) There shall be a minimum period of seven (7) days between the time a vehicle is first offered for sale into a VAVR enterprise and the time of completion of the sale, unless the vehicle owner represents that waiting a minimum of seven (7) days would impose an undue hardship, in which case the seven (7) day minimum waiting period and the requirement to provide the vehicle description and scheduled delivery information pursuant to §2605(a)(1) is waived:

(1) During this period, with the vehicle owner's permission, the enterprise operator will submit to the local district a description of the vehicle and the date and approximate time when the vehicle is scheduled to be delivered for final sale to the enterprise operator. The district will, in turn, make this information available to an appropriate segment of the public. The intent is to allow interested third parties, including car collector enthusiasts and those interested in affordable transportation, to be present at the scheduled time of delivery in order to contact the owner, examine the car and to negotiate with the owner for purchase of the vehicle before it is otherwise sold to the VAVR enterprise, should the vehicle be delivered as scheduled;

(A) The description shall include, at a minimum, the vehicle make, model, model year, and VIN, and the date and approximate time when the vehicle is scheduled to be delivered for sale to the VAVR enterprise, but no information identifying the owner will be permitted. When the district makes this information available to the public, the district will emphasize that while a vehicle is scheduled for delivery, there is no guarantee that the vehicle will actually be delivered.

(B) The vehicle owner is free to accept or reject any resulting contact or purchase offer and shall be informed by the enterprise operator explicitly and prominently of such right;

(C) Nothing in this section places the enterprise operator under any obligation to provide space or facilities for such third party contacts, inspections or negotiations to take place;

(2) No emission reduction credits shall be granted for any vehicle resold to the public in this manner;

(b) At the enterprise operator's discretion, the enterprise operator may make a vehicle previously purchased as part of a voluntary accelerated vehicle retirement enterprise available for sale to the general public, provided:

(1) The enterprise operator contacts the seller of the vehicle to be made available for public purchase and receives permission to sell the vehicle to a member of the public. If the VAVR enterprise operator is unable to obtain permission from the seller within 90 days of purchasing the vehicle, it shall not be sold to a member of the public;

(2) The resale of the vehicle shall follow commonly accepted practices and all requirements of law and regulation in effect at time of resale;

(3) No emission reduction credits shall be granted for any vehicle resold to the public in this manner;

NOTE: Authority cited: Sections 39600, 39601 and 44101, Health and Safety Code. Reference: Sections 39002, 39003, 43000, 43013, 44100, 44101, 44102, 44103, 44105, 44107, 44109 and 44120, Health and Safety Code.

REFERENCE